

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JUDY L. WEAVER,)	
)	
Plaintiff,)	Case No. 1:11-cv-254-SJM-SPB
)	
v.)	
)	
COUNTY OF McKEAN,)	
)	
Defendant.)	

ORDER

Plaintiff's complaint was filed in this Court on October 25, 2011 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on April 9, 2012 [11], recommends that the defendant's motion to dismiss [6] be granted in part and denied in part. The parties were allowed fourteen (14) days from the date of service in which to file objections. The parties, through their respective counsel, were served electronically on April 9, 2012. No objections have been filed to date. After *de novo* review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 3rd Day of May, 2012;

IT IS ORDERED that the Defendant's motion to dismiss [6] shall be, and hereby is, GRANTED in part and DENIED in part, as follows: (i) said motion is

GRANTED as to Plaintiff's request for punitive damages on all claims as well as with respect to Plaintiff's request for compensatory damages and demand for jury trial on her ADA retaliation claims, and (ii) said motion is DENIED in all other respects.

The report and recommendation of Magistrate Judge Baxter, dated April 9, 2012 [11], is adopted as the opinion of this Court.

s/ SEAN J. McLAUGHLIN
Sean J. McLaughlin
United States District Judge

cc: all parties of record
U.S. Magistrate Judge Baxter